

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-19129 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST**

**** CONDITIONS ****

The Planning Commission (4-1/bg/1/rt vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-18208), Variance (VAR-18210) and Site Development Plan Review (SDR-18206) if approved.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a proposed Auto Paint and Body Repair Shop with a Waiver to allow service bays oriented towards the public Right-of-Way (ROW) located at 400 South Decatur Boulevard south of Meadows Lane. The project as designed does not meet the minimum standards under Title 19 and therefore staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/94	The City Council accepted at the request of the applicant, a Withdrawal without Prejudice a request (Z-0030-74 (6)) for a Review of Condition to allow commercial access onto Brush Street on property located on the south side of Meadows Lane approximately 650 feet west of Decatur Boulevard.
04/16/86	The City Council considered and approved the Plot Plan Review for the Meadows School expansion. The Planning Commission and staff recommended approval. The Meadows School ceased operations in June 1988.
03/20/85	The City Council considered and approved the Plot Plan Review for the Meadows School Project. The Planning Commission and staff recommended approval. The Planning Commission and staff recommended approval.
05/16/84	The City Council considered and approved the Plot Plan Review (Z-30-74) to operate a private elementary school on property located approximately 600 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.
11/3/76	The Board of City Commissioners considered and approved a request for a Plot Plan Review (Z-30-74) for a body shop and paint room at 444 South Decatur Boulevard. The Planning Commission and staff recommended approval.
08/01/74	The Board of City Commissioners considered and approved a request for Reclassification of Property (Z-30-74) located south of the westerly prolongation of Michael Way. The Planning Commission and staff recommended approval.
02/22/07	<p>The Planning Commission recommended denial of companion items ZON-18208, VAR-18210 and SDR-18206 concurrently with this application.</p> <p>The Planning Commission voted 4-1/bg/1/rt to recommend DENIAL (PC Agenda Item #22/ja.</p>
<i>Related Building Permits/Business Licenses</i>	
None	

<i>Pre-Application Meeting</i>	
01/09/07	A Pre-application was held with the applicant. Planning staff advised the applicant of the requirement for a Site Development Plan Review and Development Impact Notice and Assessment (DINA) application.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	9.34 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive	GC (General Commercial)	C-2 (General Commercial) and R-1 (Single Family Residential)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	H (High Density Residential)	R-PD42 (Residential Planned Development)
East	Commercial	SC (Service Commercial)	C-2 (General Commercial)
West	Residential	MLA (Medium Low Attached Residential)	R-2 (Medium Low Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment (DINA)	X		Y*
Project of Regional Significance		X	Y

*In accordance with Ordinance No. 5227 a DINA was prepared for the project to address the potential increase in Average Daily Trips (ADT) that may result with implementation of the proposed rezone and commercial development.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
	154,875	5 plus 1 space per 200 sf gfa	779	16	509	8	N
SubTotal							
TOTAL (including handicap)			779		509		N
Loading Spaces			4		4		Y

Waivers		
Request	Requirement	Staff Recommendation
Allow Service Bays to face public ROW.	Oriented away from public right of way	DENY

ANALYSIS

The request is for a Auto Paint and Body Repair Shop on a 9.34 acre project site developed with a 31,000 square foot auto repair facility and associated parking area.

- General Plan and Zoning**

The project is located within the GC (General Commercial) land use category as designated in the General Plan. The site is zoned as C-2 (General Commercial) and the proposed use is allowed with a Special Use Permit. Existing uses surrounding the project site include commercial to the north, multi-family residential to the west and south, and commercial to the east.

- **Site Plan**

The site plan and elevations indicate service bays will be oriented to the north facing Meadows Lane as well as west towards a residential property line. In accordance with the Conditional Use requirements service bay access doors cannot face public ROW and such facilities shall be designed to minimize intrusion into adjoining properties. The Waiver request will allow service bays to face Meadows Lane. Staff recommends denial of the request as the project lacks landscape features to offset the visual effects of the bay doors.

- **Parking**

The project site contains 1,056 parking spaces serving an existing auto repair facility. However, the proposal requests a Variance (VAR-18210) to allow 509 parking spaces where 779 are required.

- **Special Use Permit – Conditional Use Regulations**

1. No use or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
2. All disabled or wrecked vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.
3. Opening in service bays shall not face public right-of-way and shall be designed to minimize visual intrusion into adjoining properties.
4. All repair work shall be performed within an enclosed building.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposal will not blend with surrounding land uses as the proposal lacks the design and features that sufficiently address Title 19.04 Conditional Use Regulations for visual intrusion and Title 19.08 Commercial Development Standards.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The intensity of use along with the traffic projected to be generated are considered unacceptable at this location. This type of structure is more suited to an industrial zoned parcel surrounded by similar uses.

3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”

Significant impacts to current surface street operations may result with implementation of this project. Greater than 4,000 average daily vehicle trips will be generated with the project as concluded in the traffic analysis.

4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”

The proposed use exceeds the intent of the current General Plan and the zoning regulations for commercial development as the proposal does not adequately address architectural design, landscaping, parking, and screening requirements.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed use does not meet the conditions set forth under Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 496 by City Clerk

APPROVALS 0

PROTESTS 1